

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

James O. Spence, Master in Equity

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Case No.: 2010-CP-32-0460  
Appellate Case No.: 2014-000741

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**RECEIVED**

SEP 18 2014

**SC Court of Appeals**

173576

David R. Gooldy,

Respondent,

vs.

The Storage Center – Platt Springs, LLC,

Appellant.

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**MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S REPLY BRIEF  
AND DESIGNATION OF MATTER**


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Pursuant to Rules 240 and 263(b) of the South Carolina Appellate Court Rules, the Appellant The Storage Center – Platt Springs, LLC moves this Court for an order granting an extension of seven (7) days for the Appellant to file and serve its reply brief and supplement its designation of matter (if necessary) in the above-captioned appeal. This request is being made due to counsel's present workload and other professional commitments. This is the Appellant's first request for an extension of time with respect to this deadline.

Appellant's reply brief and designation of matter are currently due on Monday, September 22, 2014. If the motion is granted, Appellant's reply brief and designation of matter will be due on Monday, September 29, 2014.

On behalf of counsel for the Respondent, Patrick Frawley, Esquire has consented to this seven day extension. A copy of counsels' email exchange, confirming the extension, is attached hereto as **Exhibit A**.

SOWELL GRAY STEPP & LAFFITTE, L.L.C.

By:  \_\_\_\_\_

Robert E. Stepp  
[rstepp@sowellgray.com](mailto:rstepp@sowellgray.com)  
Bess J. DuRant  
[bdurant@sowellgray.com](mailto:bdurant@sowellgray.com)  
1310 Gadsden Street  
Post Office Box 11449  
Columbia, South Carolina 29211  
Tel No.: (803) 929-1400

*Attorneys for Appellant, The Storage Center –  
Platt Springs, LLC*

September 18, 2014

Other Counsel of Record:

James Randall Davis Esquire  
[Randy@oldcourthouse.com](mailto:Randy@oldcourthouse.com)  
Nicholson, Davis, Frawley, Anderson and Ayer, LLC  
140 East Main Street  
Lexington, South Carolina 29071  
Tel No...: (803) 359-2512

*Attorney for Respondent, David R. Gooldy*

# **EXHIBIT A**

**Oken, Melissa T.**

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**From:** DuRant, Bess  
**Sent:** Thursday, September 18, 2014 12:08 PM  
**To:** Oken, Melissa T.  
**Subject:** FW: Gooldy v. The Storage Center

-----Original Message-----

**From:** Pat Frawley [mailto:Pat@oldcourthouse.com]  
**Sent:** Thursday, September 18, 2014 12:07 PM  
**To:** DuRant, Bess  
**Cc:** Nicole Price; Randy Davis  
**Subject:** FW: Gooldy v. The Storage Center

Bess:

In Randy Davis's absence, I consent to your request for the seven-day extension. Please feel free to tell the Clerk that I have consented. If you need anything more formal--like a letter to that effect--please advise.

Patrick Frawley.

-----Original Message-----

**From:** Nicole Price  
**Sent:** Thursday, September 18, 2014 11:35 AM  
**To:** Pat Frawley  
**Cc:** DuRant, Bess  
**Subject:** FW: Gooldy v. The Storage Center

Pat,

Can you please do this? Thank you.

-----Original Message-----

**From:** DuRant, Bess [mailto:bdurant@sowellgray.com]  
**Sent:** Thursday, September 18, 2014 11:31 AM  
**To:** Nicole Price  
**Cc:** Oken, Melissa T.  
**Subject:** RE: Gooldy v. The Storage Center

Nicole,

Thanks for getting back in touch with me. If another lawyer in your office could indicate his/her consent on behalf of Randy, I would appreciate it.

Thanks-  
Bess

-----Original Message-----

From: Nicole Price [mailto:Nicole@oldcourthouse.com]  
Sent: Thursday, September 18, 2014 11:13 AM  
To: DuRant, Bess  
Subject: FW: Gooldy v. The Storage Center

Bess,

Randy is currently in Italy and will return on September 23. I do not believe Randy would have any problem with consenting to a 7-day extension on this matter. If you need me to obtain consent from another attorney in this office, please let me know.

Sincerely,

Nicole T. Price  
Paralegal

Post Office Box 489 (29071)  
140 East Main Street (29072)  
Lexington, South Carolina  
Tel: (803) 359-2512  
Fax: (803) 359-7478  
E-mail: nicole@oldcourthouse.com

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-----Original Message-----

From: Randy Davis  
Sent: Thursday, September 18, 2014 10:09 AM  
To: Nicole Price  
Subject: FW: Gooldy v. The Storage Center

-----Original Message-----

From: DuRant, Bess [mailto:bdurant@sowellgray.com]  
Sent: Wednesday, September 17, 2014 3:20 PM  
To: Randy Davis  
Cc: Nicole Price; Oken, Melissa T.  
Subject: Gooldy v. The Storage Center

Randy,

I just tried to call you and Nicole, but I hear that both of you are out of the office today. I am writing to see if you will graciously consent to a 7-day extension for us to file and serve our reply brief. Presently, it's due on Monday, September 22, and with the extension, it would be due on Monday, September 29. I would greatly appreciate your consent.

Many thanks,

Bess

[border=0> <http://www.sowellgray.com>](http://www.sowellgray.com)

Bess J. DuRant v-card [<http://www.sowellgray.com/vcards/bessdurant.vcf>](http://www.sowellgray.com/vcards/bessdurant.vcf)

Attorney

803 231.7832

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

James O. Spence, Master in Equity

Case No.: 2010-CP-32-0460

David R. Gooldy,

Respondent,

vs.

The Storage Center – Platt Springs, LLC,

Appellant.

**PROOF OF SERVICE**

I certify that I have served the Motion for Extension of Time to File Appellant's Reply Brief and Designation of Matter on Respondent David R. Gooldy by email ([Randy@oldcourthouse.com](mailto:Randy@oldcourthouse.com)) and by U.S. regular mail, postage pre-paid on September 18, 2014, addressed to his attorney of record, James Randall Davis, Esquire, Nicholson, Davis, Frawley, Anderson and Ayer, LLC, 140 East Main Street, P.O. Box 489, Lexington, South Carolina 29701.



Robert E. Stepp

[rstepp@sowellgray.com](mailto:rstepp@sowellgray.com)

Bess J. DuRant

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SOWELL GRAY STEPP & LAFFITTE, L.L.C.

1310 Gadsden Street

Post Office Box 11449

Columbia, South Carolina 29211

Tel No.: (803) 929-1400

*Attorneys for Appellant*

September 18, 2014

**BY HAND-DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
Edgar Brown Building  
1205 Pendleton Street  
Columbia, South Carolina 29201

**RECEIVED**

SEP 18 2014

**SC Court of Appeals**

Re: David R. Gooldy v. The Storage Center – Platt Springs, LLC  
SC Court of Appeals Case No.: 2014-000741  
Civil Action No.: 10-CP-32-0460  
SGS&L File No.: 6252/1501

Dear Ms. Kitchings:

Enclosed are an original and seven (7) copies of Appellant's Motion for Extension of Time to file the reply brief and designation of matter in the above-referenced matter. Please file the original and return a filed-stamped copy to my office by our courier. Also enclosed is a check in the amount of \$25.00 for the filing fee.

By copy of this letter to opposing counsel, I am notifying them of my communication with the Court. As you will see in the motion, Patrick Frawley consents on behalf of Randy Davis to the relief requested.

Thank you for your assistance in this matter and please contact me if you have any questions.

Sincerely,



Bess J. DuRant

Enclosures

cc: James Randall Davis, Esquire (*via email*)